

LPDES PERMIT NO. LA0105970, AI No. 41115

**LPDES STATEMENT OF BASIS
FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM
(LPDES) PERMIT TO DISCHARGE TO WATERS OF LOUISIANA**

Company/Facility Name: ConocoPhillips Pipe Line Company
Manchester Station-Louisiana Gathering System
456 Aymond Road
Eunice, LA 70535

Issuing Office: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services (Office)
P. O. Box 4313
Baton Rouge, LA 70821-4313

Prepared By: Gene Jarreau
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Water Permits Division
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Date Prepared: July 29, 2009

I. Permit Action/Status:**Reason For Permit Action:**

Proposed reissuance of an existing Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term following regulations promulgated at LAC 33:IX.2711/40 CFR 122.46.

In order to ease the transition from NPDES to LPDES permits, dual regulatory references are provided where applicable. The LAC references are the legal references while the 40 CFR references are presented for informational purposes only. In most cases, LAC language is based on and is identical to the 40 CFR language. 40 CFR Parts 401, 405-415, and 417-471 have been adopted by reference at LAC 33:IX.4903 and will not have dual references. In addition, state standards (LAC 33:IX Chapter 11) will not have dual references.

LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.4901, 4903, and 2301.F.

- A. LPDES permits - Individual LPDES Permit
LPDES permit effective date: July 1, 2003
LPDES permit expiration date: June 30, 2008
LPDES permit modification date: August 22, 2005

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General LPDES Permit Authorization LAG679041

LPDES permit authorization effective date: February 1, 2008

LPDES permit authorization expiration date: January 31, 2013

B. Application received on January 2, 2008.

II. Facility Information:

A. Location - 6019 Fruge Road, Iowa, Calcasieu Parish.
 Latitude 30°09'25.8", Longitude 93°01'46.9"

B. Applicant Activity -

According to the application, ConocoPhillips Pipe Line Company, Manchester Station-Louisiana Gathering System, is an existing bulk crude oil storage facility. This facility receives crude oil by tanker trucks and is stored in an above-ground storage tank. No sanitary wastewater is discharged to surface waters.

Hydrostatic test and vessel testing wastewater at this facility may be discharged using General LPDES Permit Authorization LAG679041.

C. Sources of technology based limits:

Current Permit (effective July 1, 2003)

LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (USEPA)

Current practices regarding facilities with similar individual permits.

Best Professional Judgment (BPJ)

D. Fee Rate -

- i) Fee Rating Facility Type: Minor
- ii) Complexity Type: II
- iii) Wastewater Type: III
- iv) SIC Code: 5171, 4612

E. Continuous Facility Effluent Flow – 0 GPD

III. Receiving Waters: Indian Bayou Canal

A. River Basin: Mermentau River, Segment No. 050601

B. Designated Uses:

The designated uses are primary contact recreation, secondary contact recreation, fish and wildlife propagation, and agriculture.

IV. Outfall Information:

Outfall 001

A. Type of wastewater – the intermittent discharge of stormwater runoff from the

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main containment area.

- B. Location – at the point of discharge in the southwest corner of the facility, north of Outfall 002 valve, prior to combining with the waters of Indian Bayou Canal, at Latitude 30°09'25.8", Longitude 93°01'46.9".
- C. Treatment – None
- D. Flow – Intermittent, 600 GPD
- E. Receiving waters – Indian Bayou Canal, via effluent pipe then into an unnamed ditch.
- F. Basin and segment - Mermentau River Basin, Segment No. 050601.

Outfall 002

- A. Type of wastewater – the intermittent discharge of stormwater runoff from the main containment area.
- B. Location - at the point of discharge in the southwest corner of the facility, south of Outfall 001 valve, prior to combining with the waters of Indian Bayou Canal, at Latitude 30°09'25.8", Longitude 93°01'46.9".
- C. Treatment – None
- D. Flow – Intermittent, 600 GPD.
- E. Receiving waters – Indian Bayou Canal, via effluent pipe then into an unnamed ditch.
- F. Basin and segment - Mermentau River Basin, Segment No. 050601.

V. Proposed Changes from Current Permit:

Summary of proposed changes from the current LPDES permit:

The segment no. is changed from "050602" to "050601". Designated uses and permit conditions are not affected by this revision.

Outfall 001

Remove Visible Sheen as an Effluent Characteristic, since this is not an oil & gas exploration and production wastewater discharge. This proposed change is also based upon current practices regarding facilities with similar individual permits.

Change the outfall location description from "at the point of discharge from the southwest corner of the north diked area prior to mixing with other waters" to "at the point of discharge in the southwest corner of the facility, north of Outfall 002 valve, prior to combining with the waters of Indian Bayou Canal, at Latitude 30°09'25.8", Longitude 93°01'46.9".

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Outfall 002

Remove Visible Sheen as an Effluent Characteristic, since this is not an oil & gas exploration and production wastewater discharge.

Change the outfall location description from "at the point of discharge from the northwest curve of the south diked area prior to mixing with other waters" to "at the point of discharge in the southwest corner of the facility, south of Outfall 001 valve, prior to combining with the waters of Indian Bayou Canal, at Latitude 30°09'25.8", Longitude 93°01'46.9"".

VI. Permit Limit Rationale:

The following section sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit.

A. **Outfall 001** - the intermittent discharge of stormwater runoff from the main containment area.

This discharge shall be limited and monitored by the permittee according to the following schedule:

<u>PARAMETER</u>	<u>DAILY MAXIMUM</u>	<u>MONITORING FREQUENCY</u>
Flow	Report (GPD)	1/quarter
TOC	50 (mg/L)	1/quarter
Oil & Grease	15 (mg/L)	1/quarter
pH	6.0 - 9.0 s.u. (Min - Max)	1/quarter

Site-Specific Consideration(s)

Flow - Established in accordance with LAC 33:IX.2707.1.1.b and the previous permit. Flow shall be estimated once a quarter. These requirements have been retained from the previous LPDES permit, effective on July 1, 2003.

TOC - Effluent limitations are established in accordance with the previous permit and LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (USEPA), at a frequency of once a quarter. These requirements have been retained from the previous LPDES permit, effective on July 1, 2003.

Oil and Grease - Effluent limitations are established in accordance with the previous permit and LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (USEPA), at a frequency of once a

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quarter. These requirements have been retained from the previous LPDES permit, effective on July 1, 2003.

pH - Effluent limitations are established in accordance with LAC 33:IX.1113.C.1 and LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (USEPA), at a frequency of once a quarter. Report both the minimum and maximum instantaneous pH values measured. The units for pH (s.u.) are standard units. These requirements have been retained from the previous LPDES permit, effective on July 1, 2003.

- B. Outfall 002** - the intermittent discharge of stormwater runoff from the main containment area.

This discharge shall be limited and monitored by the permittee according to the following schedule:

<u>PARAMETER</u>	<u>DAILY MAXIMUM</u>	<u>MONITORING FREQUENCY</u>
Flow	Report (GPD)	1/quarter
TOC	50 (mg/L)	1/quarter
Oil & Grease	15 (mg/L)	1/quarter
pH	6.0 - 9.0 s.u. (Min - Max)	1/quarter

Site-Specific Consideration(s)

Flow - Established in accordance with LAC 33:IX.2707.I.1.b and the previous permit. Flow shall be estimated once a quarter. These requirements have been retained from the previous LPDES permit, effective on July 1, 2003.

TOC - Effluent limitations are established in accordance with the previous permit and LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (USEPA), at a frequency of once a quarter. These requirements have been retained from the previous LPDES permit, effective on July 1, 2003.

Oil and Grease - Effluent limitations are established in accordance with the previous permit and LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (USEPA), at a frequency of once a quarter. These requirements have been retained from the previous LPDES permit, effective on July 1, 2003.

pH - Effluent limitations are established in accordance with LAC 33:IX.1113.C.1 and LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens

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(LDEQ) to Myron Knudson (USEPA), at a frequency of once a quarter. Report both the minimum and maximum instantaneous pH values measured. The units for pH (s.u.) are standard units. These requirements have been retained from the previous LPDES permit, effective on July 1, 2003.

VII. TMDL Waterbodies

Subsegment 050601, Lacassine Bayou – Headwaters to Intracoastal Waterway, is listed on LDEQ's Final 2006 303(d) List as impaired for mercury. Although TMDLs for the Mermentau River Basin were due to be completed by 1999, a TMDL has not yet been developed for mercury for this waterbody. A TMDL will be completed following the EPA Consent Decree TMDL schedule. A reopener clause has been established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by future TMDLs.

The types of discharges from this facility are not reasonably expected to cause or contribute to further mercury impairments. Therefore, no additional requirements have been added to this permit as a result of this impairment.

Subsegment 050601 was previously listed as impaired for organic enrichment / low dissolved oxygen on past 303(d) lists, for which the following TMDL has been developed. The LDEQ reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDLs and/or water quality studies. The LDEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDLs for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL has been established for subsegment 050601:

Bayou Lacassine Watershed TMDL for Dissolved Oxygen (Revised) – September 2, 2003

In accordance with Section 106 of the federal Clean Water Act and under the authority of the Louisiana Environmental Quality Act, the LDEQ has established a comprehensive program for monitoring the quality of the state's surface waters. The LDEQ has implemented a watershed approach to surface water quality monitoring. Through this approach, the entire state is sampled over a five-year cycle. The current monitoring schedule allows the LDEQ to determine whether there has been any improvement in water quality following implementation of the TMDLs. As the monitoring results are evaluated at the end of each year, waterbodies may be added to or removed from the 303(d) list.

This facility / other small dischargers were not mentioned in this TMDL.

For organic enrichment / low dissolved oxygen and this facility, these impairments were not determined to be discharged at levels which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard.

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VIII. Compliance History/DMR Review:

A compliance history/DMR review was done covering the period of July 28, 2006 to July 28, 2009.

A. DMR Exceedances Reported

No DMR exceedances were reported for Outfall 001. However, no DMRs were found for Outfall 002.

B. Inspections

The last water permit routine LDEQ Compliance Sampling Inspection (CSI) was performed on September 17, 2002. No areas of concern were noted in the inspection report.

C. Compliance History

There are no open, appealed, or pending water enforcement actions as of July 28, 2009.

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrated two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities, and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.

IX. "IT" Questions - Applicant's Responses

ConocoPhillips Pipe Line Company, Manchester Station-Louisiana Gathering System is a minor facility, therefore, IT Questions were not required to be submitted.

X. ENDANGERED SPECIES

The receiving waterbody, Subsegment 050601 of the Mermentau River Basin, has not been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for any species, which are listed federally as a threatened species. Also, this type of discharge is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species, or the critical habitat.

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XI. Historic Sites:

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

XII. Tentative Determination:

On the basis of preliminary staff review, the Louisiana Department of Environmental Quality has made a tentative determination to re-issue a permit for the discharges described in the application.

XIII. Variances:

No requests for variances have been received by this Office.

XIV. Public Notices:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public Notice published in:

Local Newspaper of general circulation;

Office of Environmental Services Public Notice Mailing List.

XV. Stormwater Pollution Prevention Plan (SWP3) Requirement:

In accordance with LAC 33:IX.2707.I.3 and LAC 33:IX.2707.I.4 [40 CFR 122.44(I)(3) and (4)], a Part II condition is proposed for applicability to all storm water discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. **For first time permit issuance**, the Part II condition requires a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. **For renewal permit issuance**, the Part II condition requires that the Storm Water Pollution Prevention Plan (SWP3) be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference to the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasures Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. The conditions will be found in the draft permit. Including

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Best Management Practice (BMP) controls in the form of a SWP3 is consistent with other LPDES and EPA permits regulating similar discharges of stormwater associated with industrial activity, as defined in LAC 33:IX.2511.B.14 [40 CFR 122.26(b)(14)].